

**SPICES, FLAVORS, AND SEASONING MATERIALS**

**29584. Ground nutmeg.** (F.D.C. No. 48802. S. No. 68-648 V.)

**QUANTITY:** 50 pkgs., each containing 12 cans, at Washington, D.C.

**SHIPPED:** Between 1-10-63 and 2-21-63, from Baltimore, Md., by McCormick & Co., Inc.

**LABEL IN PART:** (Can) "McCormick Ground Nutmeg 1-½ Ozs. Net Wt. \* \* \* McCormick & Co., Inc., Baltimore, Md. San Francisco, Calif."

**RESULTS OF INVESTIGATION:** Examination showed that the article was approximately 7.33 percent short weight.

**LIBELED:** 3-8-63, Dist. Columbia.

**CHARGE:** 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** 4-4-63. Default—delivered to a public institution for use and not for sale.

**29585. Chili seeds.** (F.D.C. No. 48959. S. No. 13-180 V.)

**QUANTITY:** 41 unlabeled 70-lb. bags of chili seeds, and 55 drums of ground chili seeds weighing 5,000 lbs., at Chicago, Ill.

**SHIPPED:** 6-20-62, from Los Angeles, Calif.

**LIBELED:** 5-13-63, N. Dist. Ill.; amended libel 5-21-63.

**CHARGE:** 402(a) (3)—contained insect parts and insect fragments while held for sale.

**DISPOSITION:** 11-18-63. Consent—claimed by B. Heller & Co., Chicago, Ill. Segregated and reconditioned; approximately 1,067 lbs. destroyed.

**29586. Thyme, black pepper, cassia, and ginger.** (F.D.C. No. 47858. S. Nos. 34-587 R, 34-592 R, 34-596/7 R, 34-599 R.)

**INFORMATION FILED:** 12-6-62, S. Dist. N.Y., against Ware-Pack, Inc., New York, N.Y., and Albert Mauro, president and treasurer.

**ALLEGED VIOLATIONS:** Between 1-26-61 and 2-7-61, while quantities of thyme, black pepper, cassia, and ginger were being held for sale after shipment in interstate commerce, the defendants caused the articles to be held and stored under insanitary conditions, which acts resulted in the articles being adulterated.

**CHARGE:** 402(a) (3)—contained rodent urine and rodent excreta; and 402(a) (4)—held under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 2-13-63. Corporation—\$1,250 fine which was remitted; individual—imprisonment for 6 months suspended, \$1,250 fine, and probation for 6 months.

**29587. Ranch sauce, chile and tomato sauce, and pickled serrano pepper.** (F.D.C. No. 49656. S. Nos. 79-998/9 X, 80-000 X.)

**QUANTITY:** 75 cases, each containing 24 jars of ranch sauce; 17 cases, each containing 24 jars of chile and tomato sauce; and 80 cases, each containing 24 jars of pickled serrano pepper; at East Chicago, Ind.

**SHIPPED:** Between 10-11-63 and 11-20-63, from New Haven, Mich., by J. Jesus Gonzalez & Son.

**LABEL IN PART:** (Jar) "Aguila 12 fl. oz. [with a handwritten "8" over the "12"] \* \* \* Ranch Sauce \* \* \* Packed for V. F. Garza, \* \* \* East Chicago, Ind."; "Aguila 12 fl. oz. Chile and Tomato Sauce (or "Serrano Pepper in Vinegar") \* \* \* Packed for V. F. Garza \* \* \* East Chicago, Ind."

**LIBELED:** 12-24-63, N. Dist. Ind.

**CHARGE:** 403(a)—when shipped, the label statement of the ranch sauce "12 fl. oz. [with a handwritten "8" over the "12"]" was false and misleading, since the statement was ambiguous and the article contained less than 12 fluid oz., and 403(i) (2)—the label of the ranch sauce failed to bear the common or usual name of each ingredient since it failed to reveal that the ingredient "carrots" was present and since "oil" is not the common or usual name of an ingredient; and 403(e) (2)—the jars of chile and tomato sauce and pickled serrano pepper failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** 1-17-64. Consent—claimed by J. Jesus Gonzalez & Son, and relabeled.

**29588. Lemon flavor.** (F.D.C. No. 49553. S. No. 59-221 X.)

**QUANTITY:** 39 cases, each containing 24 btls., at National City, Calif.

**SHIPPED:** 6-18-63, from New York, N.Y., by Robbin Sales Co.

**LABEL IN PART:** (Btl.) "Derry's Lemon Flavor Contains: 80% Cotton Seed Oil 20% Oil of Lemon \* \* \* Conforms to Federal Specifications \* \* \* Derry Products, Inc. Brooklyn, N.Y."

**RESULTS OF INVESTIGATION:** Examination showed the article contained less than the declared amount of lemon oil, in an oil other than cottonseed oil.

**LIBELED:** 12-4-63, S. Dist. Calif.

**CHARGE:** 402(b) (1)—when shipped, a valuable constituent, namely, lemon oil, had been in whole or in part omitted or abstracted from the article; and 402(b) (2)—a substance other than lemon oil or cottonseed oil had been substituted in whole or in part for the article; and 403(a)—the labeling of the article contained the false and misleading statement, "Contains: 80% Cotton Seed Oil 20% Oil of Lemon," and the false and misleading representation that the article conformed to Federal specifications.

**DISPOSITION:** 12-30-63. Default—destruction.

**29589. Vanilla concentrate.** (F.D.C. No. 49911. S. No. 77-993 X.)

**QUANTITY:** 4 1-gal. btls., at Brooklyn, N.Y.

**SHIPPED:** 12-11-63, from Union City, N.J., by Reynaud, Ltd.

**LABEL IN PART:** (Btl.) "Reynaud, Ltd. Pure Vanilla 10-Fold Concentrate Contains: Extractive Matter of Vanilla Beans \* \* \* For Manufacturing Use Only \* \* \* Union City, New Jersey."

**RESULTS OF INVESTIGATION:** Examination showed the article to be a dark brown liquid with a vanilla-like odor containing added vanillin and little, if any, true vanilla extractives.

**LIBELED:** 3-17-64, E. Dist. N.Y.

**CHARGE:** 402(b) (1)—when shipped, the valuable constituent, vanilla extractives, had been in whole or in part omitted or abstracted from the article; 402(b) (2)—vanillin and flavorings other than true vanilla extractives, had been in whole or in part substituted for the article; 402(b) (4)—vanillin and